

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

601 NEW JERSEY AVENUE, NW
SUITE 9500
WASHINGTON, DC 20001

May 10, 2005

TIME AND DATE: 10:00 a.m., Thursday, May 19, 2005

PLACE: The Richard V. Backley Hearing Room, 9th Floor, 601 New Jersey Avenue, N.W., Washington, D.C.

STATUS: Open

MATTERS TO BE CONSIDERED:

The Commission will consider and act upon the following in open session: *Secretary of Labor and United Mine Workers of America v. Maple Creek Mining, Inc., et al.*, Docket Nos. PENN 2002-116, PENN 2003-54, PENN 2003-55, and PENN 2003-56. (Issues include whether substantial evidence supports the judge's determinations that: (1) the operator violated the requirement of 30 C.F.R. § 75.380(d)(1) to maintain in a safe condition each designated escapeway in an underground coal mine; (2) the violation was significant and substantial; (3) the violation was due to the operator's unwarrantable failure to comply with the standard; and (4) Maple Creek employees Steve Brown, Alvy Walker, and Greg Miller were liable for the violation under section 110(c) of the Federal Mine Safety and Health Act of 1977.)

The Commission heard oral argument in this matter on May 4, 2005.

Any person attending this meeting who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs, subject to 29 C.F.R. § 2706.150(a)(3) and § 2706.160(d).

CONTACT PERSON FOR MORE INFO:

Jean Ellen (202) 434-9950 / (202) 708-9300 for TDD Relay /
1-800-877-8339 for toll free.